

Panaji, 13th June, 1985. (Jyaishta 23, 1907)

SERIES II No. 11

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU



GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Order

No. 6/10/84-PER (Vol. III)

Read:-Order No. 6/10/84-PER (Vol. III)-A dated 16-5-1985

The Administrator of Goa, Daman and Diu is pleased to order the postings of the following officers promoted to Grade II of Goa, Daman and Diu Civil Service on officiating basis vide order cited above as detailed below:-

Sr. No.	Name of the officer and his present posting	Posted on promotion as
1	2	3
1.	Shri A. I. F. Barreto, Mamlatdar, Tiswadi	Deputy Director (Admn.), Institute of Psychiatry & Human Behaviour, Panaji.
2.	Shri J. J. Barreto, Mamlatdar, Salcete	Additional Deputy Collector (S-1), South Goa sub-Division, Margao, vice Shri M. S. Khan transferred.
3.	Shri S. P. Camotim, Mamlatdar, Bicholim	Superintendent of Jail, Aguada, thereby relieving Shri A. M. Mascarenhas of the additional charge.
4.	Shri V. P. Prabhu, Assistant Registrar (Marketing)	Deputy Chief Executive Officer, Industrial Development Corporation (on deputation).
5.	Shri F. C. Fernandes, Officer on Special Duty, Kadamba Transport Corporation	Officer on Special Duty, Kadamba Transport Corporation (on deputation).
6.	Shri J. Carvalho, Enquiry Officer, City Survey, Vasco	Deputy Collector, Daman Headquarters, Daman.
7.	Shri G. P. Veriekar, Block Development Officer, Bardez	Administrator of Bardez Comunidades (on deputation) vice Shri U. B. Advalparkar reverted.
8.	Shri R. Soares, Mamlatdar, Pernem	Assistant Project Officer, Rural Development Agency, Panaji (on deputation) vice Shri V. S. Sawant.
9.	Shri V. Y. Sakhardande, Assistant Project Officer, Rural Development Agency, Panaji	Assistant Project Officer, Rural Development Agency, Panaji (on deputation).

1	2	3
10.	Shri V. S. Sawant, Assistant Project Officer, Rural Development Agency, Panaji	Additional Deputy Collector (S-3), South Goa sub-Division, Quepem.
11.	Shri J. B. Fernandes, Assistant Project Officer, Rural Development Agency, Panaji	Additional Deputy Collector (S-2), South Goa sub-Division Margao.
12.	Shri A. X. B. Viegas, Chief Officer, Bicholim Municipal Council	Chief Officer, Bicholim Municipal Council, Bicholim (on deputation).
13.	Shri P. Barreto, Mamlatdar, Bardez	Assistant Project Officer, Rural Development Agency, Panaji (on deputation) vice Shri J. B. Fernandes.
14.	Shri K. V. Goswami, Mamlatdar-cum-Block Development Officer, Diu under transfer order as B. D. O., Pernem	Assistant Director of Fisheries, thereby relieving Shri R. T. Khorjevenkar of the additional charge of the post of Assistant Director of Fisheries.
15.	Shri S. D. Dalvi, Mamlatdar, Ponda	Project Officer, Rural Industries Project, Directorate of Industries & Mines, Panaji.
16.	Shri T. J. Faleiro, R. S. to Law Minister	Additional Deputy Collector (N-2), North Goa sub-Division, Panaji.
17.	Shri V. L. S. Raikar, Superintendent, Collectorate of Goa	Chief Officer, Diu Municipal Council (on deputation).
18.	Shri Umakant B. Naik, Chief Officer, Canacona Municipal Council	Chief Officer, Ponda Municipal Council, Ponda (on deputation).
19.	Smt. Nina Lobo, Superintendent, Public Works Department, Panaji	Administrative Officer, Directorate of Social Welfare, Panaji vice Shri A. M. Bhandare reverted.
20.	Smt. Maria de Lourdes Menezes, Superintendent Electricity Department, Panaji	Programme Officer, Directorate of Social Welfare, Panaji vice Shri S. S. Chopdekar reverted.
21.	Shri K. A. Satardekar, Mamlatdar, Satari	Chief Officer, Mormugao Municipal Council, Vasco (on deputation) vice Shri S. S. Dharangutti transferred.

Smt. Prabha Chandran presently working as Under Secretary (Legislature) shall continue to work as Under Secretary (Legislature) until further orders.

The officers at Serial No. 1, 2, 3, 7, 8, 13, 15, 18 and 21 shall hold their present posts in Col. No. 2 in addition to their Grade II posts in Col. No. 3 until further orders.

Shri A. V. Figueiredo, Mamlatdar, Mormugao shall take over the charge of the post of Enquiry Officer, City Survey,

Vasco and relieve Shri J. Carvalho of the charge of the post of City Survey, Vasco to join his new assignment at Daman.

2. The Administrator is further pleased to order the transfer of the following officers:-

Sl. No.	Name of the officer and present posting	Posted on transfer
1	2	3
1.	Shri M. S. Khan, Additional Deputy Collector (S-1), South Goa sub-Division, Margao and also holding additional charge of Deputy Collector, South Goa sub-Division, Margao	Deputy Collector, South Goa sub-Division, Margao.
2.	Shri S. S. Dharangutti, Chief Officer, Mormugao Municipal Council	Chief Officer, Daman Municipal Council, Daman (on deputation).

3. The period of deputation of the officers referred to in this order is fixed for one year in the first instance. Their pay shall be fixed as per the standard terms of deputation contained in Appendix 31 of the Civil Service Regulations (Vol. II-Part II).

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 5th June, 1985.

General Administration and Co-ordination Division

Notification

No. 19/2/85-GA&C

The Government of Goa, Daman and Diu have considered the question of introduction of 5-day week in their offices in the context of further improving efficiency in the Administration as done by the Government of India. Taking into consideration all aspects of the proposal, the Administrator of Goa, Daman and Diu is pleased to introduce 5-day week in the Departments/Offices of the Government of Goa, Daman and Diu with effect from Monday, the 10th June, 1985. All Government Departments/Offices shall now work for five days a week from Monday to Friday, with all Saturdays and Sundays as closed. To make up for the additional closed Saturdays, the working hours per day during the remaining five days of the week when the offices are open will be increased by one hour.

2. Accordingly, it has been decided that the office timings in the Departments/Offices of the Government of Goa, Daman and Diu will be altered from 10.00 a.m. to 5.30 p.m. to from 9.30 a.m. to 5.45 p.m. with 45 minutes lunch break from 1.15 p.m. to 2.00 p.m.

3. All the Heads of Departments/Offices are requested to bring these instructions to the notice of all staff under their control for information and compliance.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (G. A.).

Panaji, 7th June, 1985.

Planning Department

Notification

No. 4-6-83/PLG (Part-III)

Read: — Government Notification No. 4-6-83/PLG dated 6-4-1985.

In partial modification of Government Notification cited above, the Administrator of Goa, Daman and Diu is pleased to nominate the following persons as members of the Steering Committee of the Computer Centre proposed to be set up in this territory:

1. Dr. S. M. Vaidya, Director, Regional Computer Centre Poona, Poona University Campus, Pune — 411 007.
2. A representative of National Institute of Oceanography (to be nominated by the Director, N. I. O.)

2. The outstation members will be permitted to draw air-fares (both ways) for attending the meetings of the Steering Committee or for any assignment specifically assigned to them by the Committee. While in Goa, the outstation members will be entitled to draw TA and DA as admissible to the senior officials of the State Government. Each outstation member will also be paid a sitting fee of Rs. 100/- per day for attending the Committee meetings or for attending to any other work specifically assigned to him by the Committee.

The Director of Planning, Statistics and Evaluation will be the drawing and disbursing officer for the purpose of the Steering Committee and will be responsible for timely defray of all the expenses including the TA, etc. of the Members of the Committee.

By order and in the name of the Administrator of Goa, Daman & Diu.

P. W. Rane Sardesai, Under Secretary (Planning).

Panaji, 29th May, 1985.

Forest and Agriculture Department

Order

No. 18-1-81-FOR (Part)

The Administrator of Goa, Daman and Diu is pleased to Order transfers of the following Assistant Conservator of Forests in the Forest Department, Panaji with immediate effect.

Sr. No.	Name of Officer	Present posting	New posting
1.	Shri R. N. Naik	A. C. F. Bondla.	A. C. F. Soil Conservation Division.
2.	Shri S. V. Naik	A. C. F. North Goa, Division.	A. C. F. Cashew Division.
3.	Shri S. M. Gaonkar	A. C. F. Cashew, Divn.	A. C. F. North Goa Division.
4.	Shri M. A. Dessai	A. C. F. South Goa, Division.	A. C. F. attached to C. F.'s Office.
5.	Shri O. V. R. Reddy	—	A. C. F. South Goa Division.

2. Shri R. N. Naik shall hold charge of the post of A. C. F. Bondla, in addition to his own duties until Shri B. S. Somashekara takes charge on completion of his training.

3. The Administrator is further pleased to change the headquarters of the Soil Conservation Division from Margao to Ponda with immediate effect.

By order and in the name of the Administrator of Goa, Daman & Diu.

D. N. Accavade, Under Secretary to the Govt. of Goa, Daman and Diu.

Panaji, 23rd May, 1985.

Revenue Department

Notification

No. 22/21/84-RD

Whereas by Government Notification No. 22/21/84-RD dated 16-2-1984 published on page 708 to 710 of Series II, No. 51 of the Official Gazette, dated 26-3-1984 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as "the said land") was likely to be needed for the public purpose viz. construction of Devka Minor Ex-Vapi Distributary Marwad.

And Whereas the Government is of the opinion that its acquisition is urgently necessary, the provisions of sub-section (1) and sub-section (4) of Section, 17 of the said Act

are made applicable and that the Collector appointed under paragraph 2 below shall at any time on expiry of 15 days from the publication of notice relating to the said land under sub-section (1) of Section 9 of the said Act take possession of the said land.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Collector of Daman, Daman to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Collector of Daman, Daman till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sl. No.	Taluka	Village	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
	Daman	Marvad	243/4	Lalbbhai Hanchhabhai.	418.00
			242/4	Ukad Karia.	25.00
			242/6	Nagar Karsan.	38.00
			242/5	Jagan Karia.	150.00
			243/7	Jagan Kalinbhai.	218.00
			242/7	Nagar Karsan.	120.00
			267/1	Vallabh Dhyal.	63.00
			267/2	Lala Hancha.	338.00
			243/1	Ranghubai Ranchhodhari.	494.00
			266/1	Jagan Bava.	416.00
			265/7	Chamar Ganda.	344.00
			265/8	Soma Parag.	216.00
			265/6	Morar Nana.	20.00
			392/4	Bhana Fakir.	34.00
			392/5	Chhagan Fakir.	92.00
			393/4	Chiman Narshi.	39.00
			393/5	Bhana Fakir.	116.00
			393/6	Mithala Bhangia.	95.00
			393/7	Bhema Fakir.	127.00
			393/8	Nagar Karsan.	7.00
			391/1	Naran Dhedka.	78.00
			391/3	Bhagu Ganda.	248.00
			391/4	Bhana Fakir.	5.00
			391/5	Morar Bhana.	161.00
			391/6	Balu Nana.	114.00
			388/2	Nagar Karsan.	295.00
			388/3	Jagan Kala.	148.00
			388/4	Vasant Sukar.	125.00
			358/7	Bhikha Sana.	240.00
			358/2	Chibadbhai Sukkarbhai.	36.00
			358/3	Chibleben Punabhai.	111.00
			358/4	Sanabhai Fakirbhai.	84.00
			356/2	Jaganbhai Kaliabhai.	146.00
			357/2	Chibabhai Sukkarbhai.	424.00
			357/2	Ramanbhai Kuvarji.	244.00
			362/4	Chibleben Punabhai.	36.00
			346/2	Lalji Ravjibhai.	95.00
			345/1	Chiman Bhagvan.	462.00
			345/4	Chhotubhai Gandabhai.	75.00
			345/7	Chhidibhai Sukarabhai.	35.00
			338	Gandibhai Namalabhai.	428.00
			343/1	Chamarghai Gandibhai.	219.00
			387/4	Vasna Sukar.	413.00
			375/2	Bai Lakhi W/o.	207.00
				Khandu Sukar.	
			375/3	Bhangala Bhangia.	256.00
			372/4	Shanti Mithal.	120.00
			374/1	Harijan Shanti Mithal.	120.00
			373/1	Bhika Chhana.	150.00
			373/5	Shankar Gopal.	118.00
			373/6	Harijan Manchhu Soma.	173.00
			373/7	Harijan Ratilal.	346.00
			373/9	Chamar Ratna.	132.00
			373/10	Chiman Narshai.	189.00
			373/11	Bhika Sana.	162.00
			358/1	Rajjibhai Ukadbhai.	19.00
			360/12	Chhipkiben Budhiyabhai.	95.00
			360/13	Samjibhai Chimanbhai.	49.00
			340/1	Khandubhai Sukarabhai.	155.00

1	2	3	4	5	6
	Daman	Marvad	340/4	Naranbhai Chamar.	422.00
			340/5	Somabhai Govanbhai.	3.00
			341/4	Rajibhai Ukadbhai.	45.00
			328/5	Mansukhbhai Somabhai.	184.00
			328/6	Shankarbhai Gopalbhai.	121.00
			327/3	Nanabhai Bavabhai.	200.00
			327/2	Khandubhai Sukkarbhai.	232.00
			291/1	Maganbhai Bhulabhai Patel.	544.00
			306/1	Prema Durlabh.	445.00
			306/2	Lalji Ravji.	298.00
			306/3	Kikla Sukar.	400.00
			306/4	Jagan Mithal.	312.00
			310/2	Jivan, Rama, Hasmukh	} Prema 6.00
				Bhagvanji.	
			310/3	Lakhman Durlabh.	
			310/4	Morar Durlabh.	
			310/6	Prema Durlabh.	251.00
			312	Jivan Fakir.	469.00
				Chhagan Fakir.	
Total					14,388.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 25th April, 1985.

Notification

No. 22/56/85-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition of road from Manas to Dassolwada in V. P. Kundaim (Addil. area).

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Additional Dy. Collector (2-South) Margao, Goa, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Additional Dy. Collector (2-South) Margao, Goa.
3. The Executive Engineer, W. D. XVIII, P.W.D. Ponda, Goa.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Additional Dy. Collector (2-South) Margao, Goa, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Sub-Div. No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Ponda	Cundaim	35(part)	201	O: 1) Gopal Raghuvir Kamat. 2) Anand Raghuvir Kamat.	605.00
			38(part)	202	O: Damodar Venkatesh Kamat.	260.00
Boundaries:						
North: Nala.						
South: S. No. 202/1.						
East: Nala.						
West: S. No. 201/1, 2.						
North: S. No. 202/27.						
South: Road.						
East: Nala.						
West: S. No. 202/37, 39, 40, 41 42, 43.						
Total						865.00 sq. mts.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 15th April, 1985.

Notification

No. 22/45/82-RD

Whereas by Government Notification No. 22/45/82-RD dated 10-6-82 published on page 152 to 153 of Series II, No. 12 of the Official Gazette, dated 21-6-82 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. Const. of Road from Rivona to Keri at Rivona.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section 5A of the said Act, that

the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Land Acquisition Officer, PWD-Cell, Altinho, Panaji, to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Land Acquisition Officer, PWD-Cell, Altinho, Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Taluka	Village	Survey No.	Sub. Div. No.	Names of the persons believed to be interested	Area in sq. mts.
1	2	3	4	5	6
Sanguem	Rivona	49 part	—	Prabhakar Fottu Dessai.	507.00
		50	2 part	Baptista Rodrigues.	33.00
			3 part	Leurecinha Lopes.	40.00
			4 part	Prabhakar Fottu Desai.	275.00
		51	1 part	Baptista Rodrigues.	70.00
		52	1 part	Joaquim Rodrigues.	30.00
			2 part	Catarina Fernandes.	40.00
			7 part	Leurecinha Lopes.	36.00
			8 part	Salvador Fernandes.	40.00
			11 part	Aurola Faria.	35.00
			12 part	Piedade Fernandes.	45.00
			15 part	Govind Usso Parab Dessai.	30.00
		70	1 part	Premnath Damodar Desai.	170.00
			2 part	Venkatesh Shiva Angle.	1215.00
			1 part	Yeshwant Shiva Angle.	610.00
		80	1 part	Shrirang Fattu Desai.	1006.00
		70	18 part	Prakash Kashinath Prabhu Desai.	240.00
			15 part	Laxmikant Jaganath Prab Desai.	275.00
			14 part	Jaiwant Jaganath Parab Desai.	318.00
			13 part	Sarvottam Shivram Prabhu Desai.	136.00
			12 part	Sarvottam Shivram Prabhu Desai.	203.00
			11 part	Pandurang Jaganath Parab Desai.	395.00
			2 part	Sarvottam Shivram Prabhu Desai.	25.00
				Shrirang Jaganath Parab Desai.	
		78	4 part	Manmohan Jaganath Parab Desai.	1970.00
			1 part	Kumidehndra Vassudeva Prabhu Desai.	330.00
		146	1 part	Laxmikant Jaganath Parab Desai.	450.00
		76	7 part	Subhas Premnath Prabhudessai.	640.00
		147	1 part	Sadassiva Usso Parab Desai.	1885.00
		148	1 part	Shri Dev Vimleshwar Rivona.	145.00
			3 part	Shri Dev Vimleshwar Rivona.	20.00
			4 part	Shri Dev Vimleshwar Rivona.	40.00
			6 part	Shri Dev Vimleshwar Rivona.	210.00
			5 part	Shri Dev Vimleshwar Rivona.	100.00
			8 part	Shri Dev Vimleshwar Rivona.	80.00
			9 part	Shri Dev Vimleshwar Rivona.	75.00
			10 part	Shri Dev Vimleshwar Rivona.	300.00
			11 part	Shri Dev Vimleshwar Rivona.	75.00
		149	4 part	Prakash Kashinath Prabhudessai.	700.00
		151	part	Datta Mahadeva Porob Desai.	700.00
		153	part	Sadashiva Usso Prabhu Desai.	600.00
		152	part	Govind Usso Prabhu Dessai.	365.00
		154	21 part	Vassu Ganesh Naik.	165.00
			4 part	Shrirang Fatta Prabhu Dessai.	192.00
			2 part	Ganesh S. Nagvenkar.	320.00
				Ragu S. Nagvenkar.	
		174	2 part	Shrirang Fottu Prabhu Dessai.	260.00
			1 part	Mrs. Anusuya (Laxmibai) Govind Prabhu Dessai.	3765.00
		175	6 part	Shrihari Vassudeva Savaokar.	600.00

1

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5

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Boundaries:

North: S. No. 78, 76, 147, 148 & Nala, S. No. 149, 151, 152, 174, 175 & road S. No. 49 & S. No. 50, S. No. 52 and road S. No. 80, 71 & 79.

South: Road S. No. 52, 80, 71 & 79; S. No. 146, 78, 76, 147, 148; S. No. 149, road 153, 154, 174 road 175.

East: Road S. No. 52, 69/1; Road S. No. 70, 80 & 71; S. No. 79/2, 147 & 148; Nala, road S. No. 147 S. No. 175.

West: Road & S. No. 49 & No. 50; road S. No. 70, 78 & 146; S. No. 147, 148 & Nala; S. No. 175, 178, 154.

Total 19759.00

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 2nd May, 1985.

Notification

No. 22/259/84-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Construction of approach road from Ambawadi to Rao-talao at Magarwada Village Panchayat, at Moti Daman.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector of Daman, Daman to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Daman, Daman.
2. The Dy. Collector of Daman, Daman.
3. The Executive Engineer, FWD, Works Division VII, Daman.

6. A rough plan of the said land is available for inspection in the office of the Dy. Collector of Daman, Daman for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sl. No.	Taluka	Village	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
1.	Daman	Magarwada	557/1	Bawla, Chhipka.	700.00
2.			457/2	Shukar Lala.	1200.00
3.			434/1	Gaju Naran.	4500.00
4.			435/1	Bhula Prema Zina.	4700.00
5.			435/2	Dahya Prema Zina.	1600.00
6.			436/1	Mohan Rama Gojia.	3700.00
7.			436/2	Bhula Prema Zina.	3800.00
8.			455/2	Kashiben Bhulka d/o Harkha.	1300.00
9.			454/1	Ranchhod Bhudia and Kika Budhia.	800.00
10.			454/2	Shukar Lala.	1800.00
11.			453/3	Premiben Bhangia.	200.00
12.			453/4	Ranchhod Budhiya.	
				Kika Budhia and	300.00
				Mohan Budhia.	
13.			452	Bhigla Jogi and Bhana Jogi.	3000.00
Total					27600.00

By order and in the name of Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 29th April, 1985.

Notification

No. 22/183/83-RD

Whereas by Government Notification No. 22/183/83-RD dated 18th January, 1984 published on pages 625 and 626 of Series II No. 48 of the Official Gazette dated 1-3-1984 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. construction of Devka Minor, Ex-Vapi Distributory at village Devka for Damanganga Reservoir Project.

And whereas the Government is of the opinion that its acquisition is urgently necessary, the provisions of sub-section (1) and sub-section (4) of Section 17 of the said Act are made applicable and that the Collector appointed under paragraph

2 below shall at any time on expiry of 15 days from the publication of notice relating to the said land under sub-section (1) of section 9 of the said Act take possession of the said land.

Now therefore the Government is pleased to declare under the provision of section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Collector of Daman, Daman to perform the functions of the Collector for all proceedings hereinafter to be taken in respect of the said land and to direct him under section 7 of the said Act to take order of the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the Collector of Daman, Daman till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	9
1.	Daman	Devka.	183/2	Musaji Aliji.	100.00
2.			184/1	Khimaji Fakir.	250.00
3.			184/2	Dahyabhai Haribhai.	300.00
4.			184/4	Chandbibi Ibrahim.	22.00
5.			190/1	Raghabai Ramabhai.	200.00
6.			190/2	Babubhai Durlabhai.	220.00
7.			190/4	Nanubhai Ramabhai.	44.00
8.			195/2	Bhana Fakir.	217.00
9.			195/4	Ramzan Yadam.	244.00
10.			195/7	Rajiv Fakir.	445.00
11.			202/1	Majid Ibrahim.	327.00
12.			202/3	Fakir Khusal.	341.00
13.			203/4	Durlabh Naran.	3.00
14.			203/5	Bai Chhipaki W/o Madhav Vallabh.	67.00
15.			196/1	Puna Fakir.	77.00
16.			203/6	Raghubhai Ramabhai.	180.00
17.			203/7	Abdul Gofour Ismail Husenbhai.	220.00
				Nizamuddin Husenbhai.	
24.			203/8	Punabhai Fakirbhai.	115.00
18.			206/1	Khatijaben Kasambhai.	57.00
19.			206/2	Aliji Doud.	125.00
20.			200/3	Balu Keshav.	312.00
21.			204/7	Sakibibi Mahamad Musa.	275.00
22.			204/8	Suleman Abdul Gafur.	320.00
23.			162/3	Ahmed Adam.	13.00
25.			163/1	Chhipakaben Madhubhai.	290.00
26.			15/5	Fakirbhai Ibrahim.	203.00
27.			15/6	Mahmed Husen Fakir Mustan.	972.00
28.			16/2	Mitha Lallu.	678.00
29.			18	Kasambhai Aliji.	827.00
30.			19/2	Kadir Kasam Mustan.	19.00
31.			20/2	Dalya Prema.	331.00
32.			163/2	Nanbibi Ismail Muzeria.	328.00
Total					8,172.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 27th April, 1985.

Notification

No. 22/204/84-RD

Whereas by Government Notification No. 22/204/84-RD dated 10-10-84 published on page 524 of Series II, No. 30 of the Official Gazette dated 25-10-84, it was notified under section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the said Act) that the land specified in the schedule appended to the said Notification (hereinafter referred to as the said land) was likely to be needed for public purpose viz. Land Acquisition for laying 600mm dia. Sewer near Pumping station No. 6 at Katem, Baina, Vasco.

And whereas the Government is of the opinion that its acquisition is urgently necessary, the provisions of sub-section (1) of sub-section (4) of Section 17 of the said Act are made applicable and that the Collector appointed under paragraph 2 below shall at a time on expiry of 15 days

from the publication of notice relating to the said land under sub-section (1) of Section 9 of the said Act take possession of the said land.

Now, therefore, the Government is pleased to declare under the provision of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Dy. Collector, South Sub-Div. Margao, to perform the functions of the Collector for all proceedings hereinafter to be taken in respect of the said land and to direct him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the Deputy Collector, South Sub-Div. Margao, till the award is made under Section 11.

SCHEDULE
(Description of the said land)

Taluka	Village	Survey No.	Plot No.	Name of the person believed to be interested	Area in sq. mts.
1	2	3	4	5	6
Mormugao	Vasco	152	245 Part	Arminio B. Furtado,	390.00
Boundaries: North: Chalta No. 245 of PTS No. 152. South: Chalta No. 245 of PTS No. 155. East: Chalta No. 245 of PTS No. 152. (Area already acquired by PWD).					
Total					390.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 2nd May, 1985.

Notification

No. 22/80/85-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land acquisition for construction of R. B. M. C. of A. I. P. Ch. 16300 m to 18300 m at Padocem Satari (Part-II).

And Whereas in the opinion of the Government the provisions of Sub-section (1) of Section 17 of the Land Acquisition Act, 1894 (hereinafter referred to as the said Act) are applicable.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

The Government is pleased to direct under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this

Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Special Land Acquisition Officer, A. I. P. Duler, Mapusa, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Special Land Acquisition Officer, A.I.P. Duler, Mapusa.
3. The Executive Engineer, Works Div. VI, ID, Sarvona, Bicholim.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Special Land Acquisition Officer, AIP, Duler, Mapusa, from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

Taluka	Village	Survey No.	Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
Satari	Podocem	71	1	Shri Laxman Babuso Bhaje granted to Shri Colvanta Faturpercar as per title No. 1510 dated 12-12-1945. Tenant: Nil.	1275.00
Boundaries: North: S. No. 71, 67, Road. South: S. No. 67, 71 & 66. East: Road. West: S. No. 67, 71.					
		66	1	Devalaishti Deus, Vithal of Carapur. Tenant: Nil.	180.00
Boundaries: North: Road. South: S. No. 66. East: Road. West: S. No. 67.					
Total					1455.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 13th May, 1985.

Notification

No. 22/129/83-RD

Whereas by Government Notification No. 22/129/83-RD dated 14-10-1983 published on page 315 & 316 of Series II, No. 30 of the Official Gazette dated 27-10-1983, it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. Acquisition of land for construction of 4 L Minor Ex-Devka village Kathirya.

And whereas the Government is of the opinion that its acquisition is urgently necessary the provisions of sub-section (1) and sub-section (4) of Section 17 of the said Act are made applicable and that the Collector appointed under paragraph 2 below shall at any time on expiry of 15 days from

the publication of notice relating to the said land under sub-section (1) of Section 9 of the said Act take possession of the said land.

Now therefore, the Government is pleased to declare under the provision of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Collector of Daman, Daman to perform the functions of the Collector for all proceedings hereinafter to be taken in respect of the said land and to direct him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the Collector of Daman, Daman, till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village	Survey No.	Names of the persons believed to be Interested	Approximate area in sq. mts.
1	2	3	4	5	6
1.	Daman	Kathirya	114/1	Ramubhai Jogibhai.	325.00
2.			114/2	Bhanabhai Jogibhai.	250.00
3.			114/3	Hirabhai Mangalbhai.	475.00
4.			114/4	Naranbhai Bhagvanbhai.	280.00
5.			114/5	Ranchodbhai Mangalbhai.	75.00
6.			32/2	Jivanbhai Bhagvanbhai.	460.00
7.			103/1	Chhibubhai Govanbhai.	1185.00
8.			106/1	Devjibhai Gopalbhai.	430.00
9.			106/2	Keshaybhai Chhiphabhai.	280.00
10.			150/1	Budhi Mangalbhai Dungaria.	90.00
11.			149/2	Budhiabhai Makanji.	425.00
12.			143	Lakhmanbhai Bhogibhai.	530.00
13.			142	Mthal Jogi.	335.00
14.			141	Chamar Bhiula.	375.00
15.			189	Bhuliben Kika.	455.00
16.			190	Lallu Jogi.	505.00
17.			195	Divaliben Naran.	1125.00
18.			196/1	Gabla Gopal.	75.00
19.			196/2	Bhulibhai Bhagwan.	175.00
20.			197/1	Harj Bhagwan.	225.00
21.			197/2	Govan Ukad.	380.00
22.			197/3	Kanji Bhagwan.	65.00
23.			201	Ranchod Deva.	775.00
24.			200/1	Budhia Govan.	480.00
25.			204/1	Vallabh Harji.	580.00
26.			205/1	Chhibka Kanji.	575.00
27.			206/2	Soma Chhibka Kodaria.	770.00
28.			207	Lallu Kalan.	560.00
29.			208/1	Harji Devji.	1005.00
30.			226	Soma Bhikhari.	855.00
31.			228/1	Gopa Devji.	315.00
32.			229	Makan Dedda.	175.00
33.			232	Maniben Dahyabhai.	750.00
34.			31	Gangaben W/o Fakir Dheda.	170.00
35.			29	Jivanbhai Govanbhai.	330.00
Total					15860.00

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 2nd May, 1985.

Notification

No. 22/6/84-RD

Whereas by Government Notification No. 22-6-84-RD dated 9-3-84 published on page 670 of Series II, No. 51 of the Official Gazette, dated 22-3-84 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. for extension of four class rooms to Government Primary School building at Madel Chodan.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A of the

said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Addl. Dy. Collector, Goa North Division, Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Addl. Deputy Collector, Goa North Division, Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Tiswadi	Chorao	—	159/1(part)	Smt. Conceicao Fernandes, C/o Belgao and it is cultivated by one Shri Chimo Khandeparkar of Madel Chodan as tenant.	575.00
<p><i>Boundaries:</i> North: Survey No. 159/1. South: Survey No. 159/1. East: Survey No. 159/1. West: Road.</p>						
Total						575.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 23rd April, 1985.

Notification

No. 22/83/82-RD

Whereas by Government Notification No. 22/83/82-RD dated 9-8-82 published on page 271-272 of Series II, No. 21 of the Official Gazette, dated 19-8-82 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. for laying addl. C. I. gravity main from Curti to Banastarim at Adcolna.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A. of the said Act, that the said land specified in the schedule hereto

is needed to be acquired for the public purpose specified above.

Now Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Land Acquisition Officer, PWD-Cell, Altinho, Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Land Acquisition Officer, PWD-Cell, Altinho, Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Taluka	Village	Survey No.	Sub-Div. No.	Names of the persons believed to be interested	Area in sq. mts.
1	2	3	4	5	6
Ponda	Adcolna	80 part	—	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar.	565.00
		81 part	—	Keshav Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar.	310.00
		74	7 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Jagu Usno Gaude.	300.00
			8 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar.	225.00
			27 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Ladu Datta Naik.	80.00
			29 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Subha Vithu Gaude.	75.00
			31 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Mortu Fottu Gaude.	75.00

1	2	3	4	5	6
		33 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Dattaram Yesso Gaude.		75.00
		36 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Pandurang Puna Naik.		75.00
		38 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Bheko Chinnô Gaude.		75.00
		44 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Gajanan Vithu Gaude.		75.00
		47 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Jani Khemu Gaude.		75.00
Ponda	Adcolna	50 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Anant Shankar Naik.		75.00
		51 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Sitaram Madu Gaude.		75.00
		52 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Bhagwant Poi Vernekar. T: Ramchandra Somu Naik.		75.00
		53 part	Keshav Bhagwant Poi Vernekar. Mucund Bhagwant Poi Vernekar. Govind Bhagwant Poi Vernekar. Arvind Shrinivas Poi Vernekar. T: Jaideo Kolo Naik.		120.00

Boundaries:

North: S. No. 80, Road, 74, Sub-Div. 8, 27/29/
/31/33, 36/38, 44, 47, 50, 51, 52, 53 of vil-
lage Adcolna. S. No. 10/Sub-Div. 5, 7, 8, 9,
10, S. No. 11, Sub-Div. nos. 1, 2, 3, 4, 5, 6,
7, 8, 9, 10, S. No. 11, S. No. 13, Sub-Div.
nos. 1 and 2, S. No. 14, S. No. 16, S. No. 17/
1, S. No. 18, S. No. 17, Sub-Div. 5 and 6,
S. no. 20, S. no. 21/1, S. no. 25, Sub-Div.
1, 2, 3, 4, 5, and 6, S. No. 38/3 and S. no. 37
Sub-Div. 4 and 5 of village Bhoma.

South: S. No. 80, Road, S. no. 81, S. no. 74,
Sub-Div. 7, 27, 29, 31, 33, 36, 38, 44, 47;
50, 51, 52 and 53 of village Adcolna, S. No.
10, Sub-Div. no. 5, 7, 8 and 9, S. no. 11
Sub-Div. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11;
S. no. 13, Sub-Div. 1 and 2, S. No. 14/1,
S. No. 16 S. No. 17, Sub-Div. No. 1, 2, 3,
4, 5 and 6, S. No. 20, Sub-Div. 1, S. No. 2,
3, 4, 5 and 6, Nala S. no. 37, Sub-Div. no. 4
and 5 of village Bhoma.

East: Road, S. no. 80, Nala of village Adcolna,
S. no. 11/12, S. no. 17/2 and 17/3, 4 and 7
and S. no. 39/1 of village Bhoma.

West: Road, S. No. 80, Nala of village Adcol-
na, S. no. 13/2, 17/2, 4, 20/1, 37/3.

2350.00

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 20th May, 1985.

Notification

No. 22/62/85-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government"), that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for construction of G.P.S. Building Portais & Fontainhas Mala at Panaji.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Additional Deputy Collector (HQ-II) Collectorate of Goa, Panaji to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Additional Deputy Collector (HQ-II) Collectorate of Goa, Panaji.
3. The Director of Education, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Additional Deputy Collector (HQ-II) Collectorate of Goa, Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Town	P. T. Sheet No.	Chalta. No.	Name of the person believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Tiswadi	Panaji-Goa	86	160 part	Shri Jairam B. Neugi, Mapusa-Bardez-Goa.	1606 Sq. mts.
Boundaries:						
North: Chalta No. 123 & Chalta No. 1A						
P.T.S. No. 86 P.T.S. No. 90						
South: Chalta No. 160 & CNo. 1						
P.T.S. No. 91 P.T.S. No. 90						
East: Road & Chalta No. 1						
P.T.S. No. 90						
West: Chalta No. 160 and						
P.T.S. No. 86						
Chalta No. 67, 66, 77						
P.T.S. 91						
Total						1606.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 9th May, 1985.

Notification

No. 22/145/83-RD

Whereas by Government Notification No. 22/145/83-RD dated 8-12-1983 published on page 435 of Series II, No. 37 of the Official Gazette, dated 17-12-83 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. construction of Primary School building at Junaswada, Mandrem Pernem.

And whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto

is needed to be acquired for the public purpose specified above.

Now, therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Addl. Deputy Collector, 2-North, Land Acquisition Officer, Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Additional Deputy Collector, 2-North L. A. O., Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Pernem	Mandrem	—	279/1 part	H: 1. Anand Ganesh Dessai. 2. Vasudev Balaji Dessai. 3. Mucund Balaji Dessai. 4. Premabai Ramchandra Dessai. T: 1. Kashinath Ganesh Barde, 2. Vithal Vishny Kashalkar. 3. Ganesh Arjun Kashalkar.	4100.00
Total						4100.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 16th May, 1985.

Notification

No. 22/61/84-RD

Whereas by Government Notification No. 22/61/84-RD dated 11-4-1984 published on pages 180 to 182 of Series II, No. 9 of the Official Gazette dated 4-6-1984 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the said Act) that the land specified in the schedule appended to the said Notification (hereinafter referred to as the said land) was likely to be needed for public purpose viz. for construction of Devka Minor, Ex-Vapi Distributory at village Dunetha.

And whereas the Government is of the opinion that its acquisition is urgently necessary, the provisions of sub-section (1) and sub-section (4) of Section 17 of the said Act are made applicable and that the Collector appointed under paragraph 2 below shall at any time on expiry of 15 days from

the publication of notice relating to the said land under sub-section (1) of Section 9 of the said Act take possession of the said land.

Now therefore the Government is pleased to declare under the provision of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Collector of Daman, Daman to perform the functions of the Collector for all proceedings hereinafter to be taken in respect of the said land and to direct him under section 7 of the said Act to take order of the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the Collector of Daman, Daman till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
	Daman	Dunetha	110/1	Bhani Kalpe.	667.00
			110/4	Laxman Hari.	646.00
			110/5	Babu Mithal.	691.00
			110/6	Nanu Jagan.	788.00
			110/10	Dahia Lala.	556.00
			108/1	Govan Chhipad.	204.00
			108/2	Chhipka Dheda.	50.00
			106/2	Ravia Kidia.	1653.00
			107/1	Ragla Balia.	206.00
			107/2	Chamar Dheda.	1636.00
			107/3	Ravia Kidia.	406.00
			106/1	Ragla Balia.	82.00
			113/2	Jadav Hari.	185.00
			113/5	Akkhu Fakir.	506.00
			113/7	Govind Rama.	53.00
			113/8	Govan Chhibad.	1411.00
			113/10	Bhagu Naran.	1001.00
			115/2	Bhagu Naran.	24.00
			115/4	Damu Bava.	175.00
			115/8	Chhibad Kuber.	166.00
			115/9	Damu Baba.	193.00
			115/10	Vishnu Nangal.	134.00
			115/11	Balu Jagan.	52.00
			114/1	Chhipka Dheda.	279.00
			114/2	Babu Jagan.	2537.00
			114/3	Daya Lala.	300.00
			114/4	Laxman Hari.	171.00
			114/5	Govan Chhibad.	48.00
			114/6	Vallabha Sukkar.	006.00

1	2	3	4	5	6
Daman	Dunetha	114/7	Rama Bhaga.		469.00
		114/8	Vallabha Sukkar.		670.00
		123/3	Keshrichand Motichand.		2263.00
		123/4	Keshrichand Motichand.		88.00
		123/5	Keshrichand Motichand.		498.00
		118/1	Manji Punamchand.		1171.00
		118/2	Jagu Vallabha.		75.00
		118/3	Fakir Kalia.		669.00
		118/4	Jamnaben Bhimabhai.		1068.00
		118/8	Nema Nana.		67.00
		118/9	A. Amratlal Ranchhod & others.		291.00
		118/11	Fakir Kalia.		751.00
		117/2	Chhipka Ravia.		335.00
		117/3	Keshrichand Motichand.		256.00
		116/2	Daya Bhaga.		121.00
		112/4	Bhagu Naran.		566.00
		197/1	Narshibhai Karibhai.		093.00
		197/2	Damubhai Bavabhai.		14.00
		196	Bhagubhai Naranbhai.		629.00
		195/1	Bhagu Naran.		32.00
		203/1	Govanbhai Jogibhai.		96.00
		204/1	Bhanabhai Dagibhai.		209.00
		204/2	Bhagubhai Naranbhai.		917.00
		205/1	Chhibabhai Sukkarbhai.		723.00
		230	Manchiben Jogibhai.		54.00
		229/3	Ranchhodbhai Chhibad.		573.00
		227/2	Govan Chhibad.		744.00
			Kanji Naran (Govt.).		
		216	Raviabhai Kidibhai.		373.00
		217/1	Chhibadbhai Dhejabhai.		50.00
		217/2	Ranchhodbhai Chhibala.		713.00
		178/1	Chhipka Bava.		289.00
		178/3	Raghala Balia.		825.00
		179	Bhula Chhipka.		574.00
		182	Narshi Lala.		1488.00
		183/1	Debji Naran.		144.00
		183/2	Narshi Kalu.		364.00
		664	Chhagan Bhana (Kariya).		1700.00
		237	Santilal Bholapchand.		179.00
		238/1	Hari Lala.		790.00
		238/2	Narshi/Dahya Lala.		744.00
		238/3	Dhaya Lala.		69.00
		238/4	Kalua Dheda.		207.00
		238/5	Maltiben Mohan.		237.00
			(Gulabben) Babar.		
		239/4	Laxmiben Babar.		60.00
			Majuben Babar.		
			Chhipa Jagan.		
		246/2	Namlabhai Ramabhai.		270.00
		245/1	Kalan Dubal.		1460.00
		245/2	Damu Bava.		703.00
		233/2	Saligram Mahavir.		717.00
		234/1	Ravia Kidia.		240.00
		234/3	Kalua Dheda.		247.00
		199/1	Kuvarji Madhubhai.		342.00
		199/2	Chhibad Bhana.		298.00
		199/3	Ravia Kidia.		247.00
		199/4	Kuverji Madhubhai.		410.00
		218	Bhagvanbhai.		1680.00
		219	Salagram Mahavir.		1828.00
		277	Mangalbhai Sukarbhai.		3809.00
		276/1	Govan Chhibad.		194.00
			Kanji Naran.		
		308/1	Ganmay N. Bhagvakar.		439.00
		280	Mani M. Damaniya.		286.00
			Parin S. Marchant.		
		281/1	Ranchhodbhai Bhanjibhai.		285.00
		281/2	Kariabhai Kakirbhai.		299.00
		299/1	Bhaviabhai Dajibhai.		722.00
		299/2	Bhagabhai Lallubhai.		253.00
		302	Damniya S. Bhagvakar.		4141.00
			Pavin S. Mani.		
			Damaniya Marchent.		
Total					56542.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 1st May, 1985.

Notification
No. 22/130/83-RD

Whereas by Government Notification No. 22/130/83-RD dated 28-10-1983 published on page 355 to 357 of Series II, No. 32 of the Official Gazette, dated 10-11-1983 it was notified under Section 4 of the Land Acquisition Act, 1984 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. construction of 4 L Minor and its system Ex-Devka minor Village Marwad.

And Whereas the Government is of the opinion that its acquisition is urgently necessary, the provisions of sub-section (1) and sub-section (4) of Section 17 of the said Act are made applicable and that the Collector appointed under paragraph 2 below shall at any time on expiry of 15 days

form the publication of notice relating to the said land under sub-section (1) of Section 9 on the said Act take possession of the said land.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act, that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Collector of Daman to perform the functions of the Collector for all proceedings hereinafter to be taken in respect of the said land and to direct him under Section 7 of the said Act to take order of the acquisition of the said land.

3. A plan of the said land can be inspected at the office of Collector of Daman, Daman till the award is made under Section 11.

SCHEDULE
(Description of the said land)

Sr. No.	Taluka	Village	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
	Daman	Marvad	326/2	Bhikhabhai Sanabhai.	548.00
			326/1	Chamarbhai Ratnabhai.	51.00
			326/3	Nanubhai Bavabhai.	313.00
			326/4	Bhangiyabhai Chhibkabhai.	15.00
			329/4	Akhalabhai Lakhamanbhai.	53.00
			325/4	Bai Fakir W/o. Bhangia Kanji.	664.00
			325/5	Naranbhai Dhedkabai.	633.00
			325/2	Raghubhai Candubhai.	492.00
			323/1	Rakhu Ganda.	493.00
			322/2	Morar Nana.	445.00
			322/3	Mangiben Govan.	110.00
			322/1	Mangiben Govan.	442.00
			465/2	Mangiben Govan.	881.00
			519/1	Lallu, Keshav, Jivan } Dabiya	1975.00
				Mohan, Narsinh }	
			523	Dhaya Mitha.	135.00
			522/1	Nanu Durlabhbbhai.	215.00
			524	Madhubhai Durlabhbbhai.	230.00
			525/1	Morarbbhai Durlabhbbhai.	300.00
			527/1	Dajibhai Jadavbbhai.	2225.00
			528	Mohanbbhai Kersanbbhai.	950.00
			527/2	Kesavben Kanji.	8.00
			542	Morarbbhai Durlabhbbhai.	675.00
			543	Madhubhai Durlabhbbhai.	675.00
			544	Parbhuhbai Dahyabhai.	805.00
			545/1	Chibabhai Gopalbbhai.	550.00
			547/2	Premabhai Mangalbbhai.	30.00
			547/3	Divaliben Narsingh Lallu.	105.00
			547/4	Dahyabhai Mangalbbhai.	220.00
			548/1	Mohanbbhai Kersanbbhai.	375.00
			548/2	Dajibhai Jadavbbhai.	335.00
			549/1	Divauben Narsingh Lallu.	525.00
			555/1	Balubhai Devabhai.	380.00
			555/2	Premabhai Durlabhbbhai.	650.00
			555/3	Babu Micha.	1025.00
			554/11	Jivanbbhai Lalabhai.	260.00
			556/1	Bai Mangli W/o. Morarbbhai Chhibadbbhai.	830.00
			556/2	Babu Mitha.	505.00
			556/3	Mangiben Morar.	200.00
			557/2	Mithal bhai Bhogibhai.	205.00
			517/14	Bhagu Mithal.	1825.00
			519/2	Chhibubhai Govanbbhai.	785.00
			477/7	Dahyabhai Mithalbbhai.	425.00
			477/9	Ukad Bhana.	170.00
			477/10	Ranchhod Mangal.	200.00
			471/3	Lallu Jogi.	525.00
			470/2	Bhana Jogi.	655.00
			466/3	Chamar Ratna.	375.00
			464/13	Kalpa Patana & Chamar Ratna.	50.00
			467/	Nagar Bhagwan.	30.00
			469/3	Bhikha Lallu.	400.00
			465/1	Chamar Ratna.	775.00
			465/3	Mohan & Raghu Ranchhod.	30.00
			465/5	Mohan Ranchhod.	300.00
			558/4	Chhibabhai Gandabhai.	170.00
			558/5	Dahiya Mithabhai.	580.00
			560/1	Nagarbbhai Bhagwanbbhai.	630.00
			560/2	Ramubhai Jogibhai.	580.00
			480/3	Chhiba Gojia.	350.00

1	2	3	4	5	6
Daman	Marvad	479/1	Manubhai, Raviabhai Maniben, Babubhai.	Gopalbhai.	337.00
		479/2	Amrut Lallu, Divali, Narsingh		
		479/3	Ehuliben Mangal Bhangia.		300.00
		478/1	Daya Mangi.		350.00
		478/3	Nichhiben Gojla.		
			Ukad Kalyan.		
			Lakhrnan Paragh.		175.00
			Jivan Dullabh.		175.00
			1. Amrut Lallu.		
			2. Divaliben W/o. Narsingh Lallu.		
		478/4	Prema Mangal.		185.00
		478/6	Bhana Jogi.		100.00
		478/7	Hariya Dahya.		135.00
		478/8	Kuvar Bhanna.		110.00
		478/9	Chhibu Govan.		125.00
		478/10	Magan & Dahya Mitha.		215.00
		478/11	Dahya Bhikhari.		225.00
		478/12	Kantoben Maganbhai.		465.00
		478/13	Dahya Mithabhai.		300.00
		478/14	Dahya Mithabhai.		170.00
		478/15	Dahya Mithabhai.		125.00
		480/2	Dhuli Kita.		575.00
Total					32,455.00

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 27th April, 1985.

Public Health Department

Order

No. 5/7/85-PHD

Government is pleased to promote on ad-hoc basis the following Officers under the Directorate of Health Services with immediate effect:-

- 1) Dr. R. S. Narvekar, Chief Medical Officer is promoted to the post of Deputy Director and posted against the vacancy caused due to retirement on superannuation of Dr. (Mrs.) Auta Lobo on 1-6-1985.
- 2) Dr. (Mrs.) Maria I. Estibero, Assistant T. B. Officer is promoted to the post of Chief Medical Officer and posted as Chief T. B. Officer, T. B. Control Programme, Panaji vice Dr. Sacaram Nadkarni transferred.
- 3) Dr. Mohan Sansgiri, Medical Officer-cum-Deputy Director, Public Health Laboratory is promoted to the post of Chief Medical Officer and posted against the vacant post of Medical Superintendent, Asilo Hospital, Mapusa.

2. The above appointments will not bestow on the persons a claim for regular appointment and the services rendered on ad-hoc basis in the grade would not count for the purpose of seniority in that grade or eligibility for promotion to the next higher grade.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 3rd June, 1985.

Order

No. 5/7/85-PHD

The following transfers of the Officers under the Directorate of Health Services, Panaji are hereby ordered with immediate effect.

1. Dr. Guiri Camotim presently working as Chief Medical Officer, Vaccine Institute is transferred and posted as Chief Medical Officer, Family Welfare Programme, Panaji vice Dr. R. S. Narvekar promoted.

2. Dr. Sacaram Nadkarni, Chief T. B. Officer, T. B. Control Programme, Panaji is transferred and posted as Chief Medical Officer, Vaccine Institute vice Dr. Guiri Camotim.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 3rd June, 1985.

Industries and Labour Department

Order

No. 28/4/85-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 27th April, 1985.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN & DIU, PANAJI-GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No.: IT/26/79

1. Shri Yadunath M. Yadav — Workman/Party I
V/s.

2. M/s. Goa Micro Cellular Industries — Employer/Party II
Workman/Party I represented by Adv. A. Nigalye.
Employer/Party II represented by Adv. R. S. Kavlekar.

Panaji, Dated 1-4-1985

AWARD

The Government of Goa, Daman and Diu, by its Order No. 28/1/79-ILD dated 23rd October 1979, has referred for the adjudication of this Tribunal of an industrial dispute between the above parties. The schedule annexed to the Order of Reference reads as follows:

"Whether the action of the Management of M/s. Goa Micro Cellular Industry, Corlim Industrial Estate, Corlim, in retrenching the services of Shri Yadunath M. Yadav, w.e.f. 1-5-1979 is legal and justified?"

If the answer be in the negative, to what relief if any, is the aforesaid workman entitled to?"

2. The workman, in his statement of claim, has stated that he was employed by the employer company (Party II) as Supervisor w.e.f. 1-11-1977, his monthly wages at the time of appointment being Rs. 275/-, subsequently increased to Rs. 350/-, which is the salary he was receiving at the time of termination of his services.

The employer is a partnership firm, its partners being, among others, Shri B. P. Pande, Shri Shukla and Shri Yadav. It has its establishment at Corlim Industrial Estate and is engaged in the manufacture of goods and articles like rubber sheets. In the course of time, Shri Shukla and Shri Yadav retired from the business of the employer firm and Shri Pande continued to be the Mg. Director of the firm. On 30-4-1979, Shri Pande served a letter on the workman terminating his services w.e.f. 1-5-1979 i.e. from the next day, on a vague charge of ill performance of duties and disobedience; the workman protested against such termination by his letter dated 8-5-1979, but with no result; then he approached the Labour Commissioner's office, where conciliation proceedings took place, which ended in failure and, hence, this reference. It is submitted that the termination of the services of the workman is bad in law, illegal and unjustified, as the same is without a reasonable cause and for no misconduct committed by the workman; there was no domestic inquiry conducted by the employer, nor was any opportunity given to the workman to rebutt or refute the said charge; no notice was also given to the workman before terminating his services. It is his contention that his services were terminated by the employer due to his close and friendly relations with the retired partners of the firm, with whom the relations of Shri Pande were hostile. The termination is illegal because the provisions of Section 25F of the Act are not complied with. Even assuming for the sake of arguments that there is a misconduct committed by the workman, which, otherwise, the workman does not admit, the punishment imposed is harsh. It is prayed that he be reinstated in services, with continuity and full back wages.

3. In its written statement, the employer, has stated, in short, that the salary of the workman was increased on the clear undertaking that he would improve his performance in future; the workman, however, relied on the fact that his brother was a partner of the firm, took undue advantage and sometimes forgot that his services were employed as a workman; the charges against the workman mentioned in the termination letter are not vague; they are known to the workman and admitted by him; the order of termination is the consequence of the warning letter dated 29-12-78 and of the letters dated 17-5-78 and of the complaint dated 2-3-1979. It is submitted that the workman was totally incompetent, mischevious and irregular in performing his duties and was not obeying the order of the Management. Therefore, the Management had no other alternative but to terminate his services for the betterment of the factory and also in the interest and welfare of the other workers, who would have been spoilt if the Management had not taken prompt and right action terminating the services of the workman. It is denied that no domestic inquiry was conducted or no opportunity given to the workman to rebutt the charges. The letter of the Management GMI/1529/79 dated 15-3-1979, which was refused by the workman, is clear in this respect.

4. There was a rejoinder filed by the workman.

5. The following issues were framed by the Tribunal:

- "(1) Does the employers/Party II prove that the action taken by its Management in retrenching the services of the workmen/Party I w.e.f. 1-5-1979 was legal and justified?
- (2) Does the Workman/Party I prove that he is entitled for reinstatement in service with full back wages and continuity of service?

(3) Does the Employers/Party II prove that the Workman/Party I services were terminated after proper enquiry was held?

(4) Does the Workman/Party I prove that the employers/Party II has violated the provisions of Sec. 25 of the Industrial Disputes Act, 1947?"

6. On the above issues, the employer led the evidence of Shri Bhagwant Pande, Mg. Partner, Mr. Tatea B. Avalakki, Shri Hanuman Rao and Shri Algoo Prasad and the workman led his own evidence and of Mr. Devnath Yadav. After the closure of the evidence, written arguments were filed by the rep. of both the parties, who also argued orally, stressing certain points of their written arguments.

7. The Ld. Rep. of the workman has argued before me, that, as per the order of reference, this Tribunal has been called upon to adjudicate upon the validity or otherwise of the retrenchment and, accordingly, the Tribunal has framed the issue No. 1 putting on the employer the burden of proving that the retrenchment of the workman is legal and justified. It is also submitted that the Tribunal cannot go beyond the scope of reference and since the reference deals with the validity of the retrenchment, no other matter, namely the alleged termination as a punishment can be considered by the Tribunal. It is further submitted that the employer has not challenged the order of reference and also the issues framed thereunder and, therefore, the Tribunal has to restrict itself to decide only on the validity and justifiability of the retrenchment order passed by the employer.

8. The above submission made by the Ld. Rep. of the workman seems to be correct. The order of reference clearly refers to "Retrenchment of services" of the workman and not to the termination of his services. Hence, we have to consider only whether the retrenchment of the workman by the employer is legal and justified, as stated in the order of reference.

Retrenchment is defined in Section 2(00) of the Act as meaning the termination by the employer of the services of the workman for any reason whatsoever, otherwise, than as a punishment inflicted by way of disciplinary action. There are 3 exceptions to this definition, which are not attracted in our case. The case of the employer is that the workman has been punished for a misconduct and, hence, this termination would not come under "Retrenchment", as defined by Section 2(00) of the Act. But since we have to confine ourselves to the order of reference which, in clear and unambiguous terms, has called us to decide whether retrenchment is legal and justified, the case of the employer, as per its written statement i.e. that the termination is by way of punishment for alleged misconduct of the workman, cannot be considered at all.

9. Under Section 25F of the Act the validity of the retrenchment depends upon the following conditions precedent, namely:

- a) The workman has to be given one month's notice or pay in lieu thereof;
- b) He has to be paid retrenchment compensation at the rate of 15 days per each year of service;

In the instant case, admittedly, the workman was neither paid notice pay nor retrenchment compensation and, hence, the retrenchment is invalid and inoperative. The employer, in his statement before the Tribunal, has stated that notice pay was to be paid to the workman and he was called to collect it. This statement, read with Exh M-7, would show that the workman was called to collect by virtue of M-7 his notice pay; nothing is said regarding retrenchment compensation. It is well settled today that the validity of the retrenchment depends upon the payment or clear offer of both retrenchment compensation and notice pay at the time of retrenchment, which offer or payment is not proved in this case. I should say that the employer would not have offered to the workman the retrenchment compensation, because when he was asked in cross examination what had he meant by the expression 'Termination' used in Exh M-7, whether termination or dismissal? he replied that, according to him, it meant relinquishment. Being so, it is obvious that he would not offer to the workman any retrenchment compensation. However, the employer, when asked soon after, whether he had paid retrenchment compensation to the workman, replied in the negative, stating that he never turned up. This reply of the employer leaves no doubt in my mind that even to the employer this was a case of retrenchment and so he was bound to pay to the workman retrenchment compensation, which he did not pay because the workman did not turn up.

9. To prove his version, the employer led the evidence of 3 witnesses, namely Tatea Avalakki, Hanuman Rao and Algoo Prasad.

a) Tatea Avalakki is a partner of the employer in another company functioning in the same industrial estate and his reluctance in disclosing what was his share in the company compared to the share of the employer leads me to assume as correct the suggestion put to him that he was obliged to give evidence favourably to the employer. Otherwise, this witness has not deposed any thing regarding the specific charges levelled against the workman of ill performance of duties and disobedience except that the workman refused to receive the notice which was given to him and told the employer that he could do what ever he wanted.

b) The other witness Hanuman Rao is an employee of the employer. He has referred to the quarrelsome nature of the workman and that he used to pick up quarrels with co-workers. He has also stated that the workman used to play radio during working hours and thus disturb the others. The witness is working for the employer for the last more than 5 years, and the incident referred by him took place 5-6 times.

In his cross: He does not know whether the workman's brother and Shukla were co-partners of the employer; he also does not know whether, because of differences, Yadav and Shukla left the partnership and that now the case is in Court; he does not know whether the wages of the workman were increased by the employer. He has denied the suggestion that he is giving false statement because Mr. Pande is his employer.

c) The last witness is Algoo Prasad, who is also working for the employer. He has identified his signature on the complaint dated 2-3-1979 Exh W-5 regarding the threats and abuses the workman used to give him. He is of the same village of Mr. Pande, the employer.

10. From the above evidence it is seen that only Hanuman Rao has referred to the playing of the radio by the workman during duty hours. Regarding threats and quarrelsome nature of the workman, since they are not subject matter of the charges, they are not relevant for our purpose, but this witness who is in the employment of the employer, does not seem credit worthy because it is difficult to believe that he, inspite of working for 5 years in the firm, does not know that workman's brother and one Shukla were also co-partners of the employer and that a court case was going on in this connection. The employer has not been able to prove that Exh M-3 and M-4 are signed by the workman.

11. On the other side, the workman has stated that he joined the services on 1-11-1977 with a salary of Rs. 275/- per month which was increased to Rs. 300/- in January 1978 and to Rs. 350/- on January 1979. The workman has denied that Exh M-3 and M-4 dated 17-5-1978 and 29-12-1979 were given to him. But even assuming for the sake of arguments that the said warning letters were given to the workman, the fact that on 17-7-1979 (Exh M-2) the salary of the workman was increased to Rs. 350/- per month would show that the Management was satisfied with his work.

12. The workman's brother Devnath Yadav, who was a partner of the employer in the firm when the workman was working, has stated that he resigned from the partnership somewhere in 1979 and that, 2-3 days after, the employer told him to tell his brother, the workman, to resign from the employment. The witness told the employer that there was no need for the workman to resign. Thereafter, there was a court case between him and the employer in connection with the partnership firm, and, because of this, the employer took revenge on the workman and terminated his services. He has denied that any of the charges against the workman were brought to his notice. There was no suggestion by the employer to the witness that he never told the witness to tell the workman to resign from services.

13. From the above evidence I am led to believe that the workman's services were terminated only because his brother had retired from the partnership and as a revenge against the brother.

14. But even assuming for the sake of arguments that the termination of the services of the workman was not by way of retrenchment but as a punishment for misconduct committed by him, as contended by the employer, which version, otherwise, cannot be sustained in view of the clear wording used in the order of reference wherein the expression retrenchment is used—it is obvious that this expression has to be understood in terms of Section 2(00) of the Act—even

then I should say that the employer has failed to prove convincingly that there were misconducts committed by the workman, which led to the termination of his services.

15. In the premises above, I answer to this reference by passing the following order:

ORDER

The retrenchment order passed by the employer against the workman is invalid and inoperative, as the conditions precedent regarding notice pay and retrenchment compensation referred to in Section 25F of the Act have not been complied with by the employer. Hence, the workman is to be deemed as in continuous services from the date of termination and entitled to full back wages. The employer is directed to reinstate him immediately. Costs of Rs. 300/- to be paid by the employer to the workman.

Dr. Renato de Noronha
Presiding Officer
Industrial Tribunal

Order

No. 28/4/85-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By Order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 25th April, 1985.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN AND DIU, PANAJI GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No.: IT/14/83

1. Shri Anthony Olinto Silva — Workman/Party I
V/s.

1. M/s. Madgaum Urban Co-op. Bank — Employer/Party II
Limited

Workman/Party I represented by Adv. A. Nigalye.

Employer/Party II represented by Adv. P. J. Kamat.

PANAJI. DATED: 8-4-1985.

AWARD

The Government of Goa, Daman & Diu, by its Order No. 28/32/82-ILD dated 25th February, 1983, has referred for the adjudication of this Tribunal of an industrial dispute between the above parties. The schedule annexed to the Order of reference reads as follows:

"Whether the action of the employer M/s. The Madgaum Co-Operative Bank Limited, Margao, Salcete-Goa, in terminating the services of Shri Anthony Olinto Silva, Trainee Officer, resident of Cana, Banaulim, Salcete Goa, with effect from 18-4-82 is legal and justified?

If not, to what relief the workman is entitled to?"

2. The case of the Workman/Party I, in short, is that he was appointed as a trainee officer by the Madgaum Co-operative Bank Limited, Party II, by letter dated 26-6-1981 and actually joined the services of the employer on 3-7-1981; that, as per the terms of the employment, the training period would be for 6 months from the date of joining which could be extended or reduced at the discretion of the bank, depending on the ability of the employee; he completed his training period in January 1982 to the satisfaction of his employers without any adverse remarks on his performance; nevertheless, he received a letter dated 12-2-1982 signed by the Asstt. Secretary of the employer extending his period of training for a further period of 3 months with retrospective effect from January 1982. Since the Asstt. Secretary is not empowered to sign such letters, the same is null and void;

only the Chairman of the bank, who is appointing authority, could sign such a letter. Besides, there is also no resolution passed by the Board of Directors extending his period of training. Further, on 31-3-1982, the workman received a letter from the Asstt. Secretary requesting him to report for a written test to be held for confirmation of his services as Jr. Officer. This letter too is null and void as the Asstt. Secretary has no power to sign such letters and the terms and conditions of service of the workman, as detailed in the appointment letter, do not provide for such test. The workman is already confirmed in the services after completion of his training period in January 1982. The sole purpose of holding the test and extending his training period is only to terminate his services for the benefit of certain vested interest in the bank. On 16-4-1982, he received a letter signed by the Asstt. Secretary informing him that his performance in the written test was not satisfactory and, hence, his services were terminated w.e.f. 18-4-1982. This letter terminating his services, signed by the Asstt. Secretary is also null and void as the Asstt. Secretary is not empowered to sign such letters. Further, the workman has continuously worked for more than 240 days and, therefore, the employer was bound to comply with the provisions of Section 25F of the Act, which he has failed to do.

He has prayed that his termination be declared as illegal and unjustified and he be reinstated with continuity of services with full back wages and costs, for physical and mental torture caused to him with such illegal termination.

3. The employer, in its written statement, raised the following preliminary objections:

- i) The Order of reference is bad in law and not maintainable, as it was issued without any application of mind;
- ii) It is also without jurisdiction or in excess of its jurisdiction as the employee is not a 'Workman' within the meaning of Section 2(s) of the Act;
- iii) He was drawing a stipend of Rs. 750/- per month and is in the excluded category mentioned in Section 2(s);
- iv) The dispute referred to this Tribunal is not an industrial dispute within the meaning of Section 2(k) of the Act.

On merits, the employer has tried to justify the legality of the termination order passed.

4. Since the objections raised in the written statement went to the very root of the jurisdiction of this Tribunal, the following preliminary issues were framed:

- "1. Whether the Employer/Party II proves that the Order of Reference in this case is not maintainable and is bad in law for the reasons mentioned in sub-clauses (a), (b) and (e) of para 10 of its Written Statement?
2. Whether the Workman/Party I proves that Party I is a 'Workman' within the meaning of S.2(s) of the I.D.A., 1947?"

5. On the above issues, the workman led his own evidence and the employer, the evidence of its Manager Shri Caetano Alemao.

6. The workman has stated that he was performing clerical duties during the termination of his services; he used to pass entries in the ledgers and work on various counters of the bank, such as Savings, Current, Overdraft, Fixed deposit, etc; the ledgers he was writing were checked by the Officers of the bank. If his services were confirmed he would be grade III Officer of the bank; grade III officers do the checking of ledgers; they have no powers to transfer, to charge sheet or terminate the services of any workers; they also do not have the powers to issue warning or memos to the workers of the bank. On the date of his termination of services, he was doing clerical work and his wages were Rs. 750/- per month.

In his cross: He has admitted that he had applied for Officer's post and not clerical post. When he received the appointment letter, he was aware that his appointment was for training officer and not for clerical officer; it is true that grade III Officers are connected with Saving, Current, Overdraft counters, bills for collection, fixed deposit and advances; it is also true that the duties of grade III officers regarding Current and Saving Accounts are:

- a) Checking the voucher prepared by the Clerks and initial them;

- b) Checking the entries posted by the Clerks and initial them;
- c) Checking monthly balance sheets of all the ledgers maintained by the Clerks; and
- d) Checking the correctness of the interest calculated periodically by the Clerk.

On Overdraft counter, grade III officer is supposed to scrutinize and check overdraft limits of different clients and check the due dates on which this facility is renewed or not; these are details included in grade 3 officer's duties regarding this counter. He has also specified the duties of grade III Officer's regarding other counters which relate to the scrutiny of the various applications received and checking of the work done by the clerks of the respective counters. He has admitted that the duties of the grade III officers are of supervisory nature in respect of the work done by the Clerks in calculating interests, renewal of insurance and scrutiny of stock statements done by the clerks; and of administrative nature in respect of inward and outward bills, fixed deposit section and advance section. During the training period he was being trained to perform the same functions which the grade III Officer is supposed to perform.

7. Shri Caetano Alemao, Manager of the Bank has stated that the duties of the workman as Jr. Officer were checking and supervising the work done by the clerks in various departments, i.e. the same duties of a Jr. Officer. Sr. Officers were training Jr. Officers during the training period.

In his cross: The workman was not sitting at the counter like a clerk. Right from the beginning he was supervising the clerks with the help of the Sr. Officers; he had to be in the counter to check the ledgers of the clerks, which are big and cannot be easily moved. To a suggestion that the workman was posted at the counter and doing the work of writing the ledgers, he has replied that he might have sat on the counter to learn the job but denied that he was doing this job even at the time of termination of his services. He has denied that the duties of the Jr. Officer are of a clerical nature. He has further denied that the workman, at the time of his termination, was working at the counter and writing ledgers.

8. This is all the evidence on record.

From the above evidence, the following facts can be considered as admitted by the parties:

- i) The workman was appointed as Jr. Officer, grade III, trainee of the bank with a monthly stipend of Rs. 750/-;
- ii) After his training was over and performance was satisfactory he would be absorbed as Jr. Officer, grade III;
- iii) During the training period he was performing the same duties as Jr. Officer with the help of Sr. Officers; and
- iv) His duties were mainly checking and supervising the work done by the clerks in various departments.

9. Section 2(s) of the Act defines 'Workman' as meaning any person (including an apprentice) employed in any industry to do any skilled or unskilled manual, supervisory, technical or clerical work for hire or reward, whether the terms of employment be expressed or implied, and for the purposes of any proceeding under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute, or whose dismissal, discharge, or retrenchment has led to that dispute, but does not include any such person:—

- i)
- ii)
- iii) who is employed mainly in a managerial or administrative capacity; or
- iv) who, being employed in a supervisory capacity, draws wages exceeding five hundred rupees per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature."

10. In the book of "Law of Industrial Disputes" at page 498 Vol. I, 3rd edition, the authors O. P. Malhotra and K.

R. Malhotra, commenting on this section of the Act, write as follows:

"The designation of the employee is not of great moment and what is of importance is the nature of his duties. The test is the nature of the main duties of the employee. In other words, what is the substance is the work which he does or what he was in substance employed to do. For instance, if he is mainly doing supervisory work but incidentally of for a fraction of time also does some clerical, manual or technical work it would have to be held that he is employed in supervisory capacity which excludes him from the definition of 'Workman'."

And later, at page 504:

"An Officer is generally invested with the powers of supervision and control in contradistinction to the stereotyped work done by a clerk".

11. In the instant case, it is an admitted position that the workman was appointed as Jr. Officer grade III (trainee) and with the monthly stipend of Rs. 750/- and that, after his training was over and the performance was found satisfactory, he would be absorbed in the post as Jr. Officer of that grade; it is also admitted that his duties as Jr. Officer are mainly checking and supervising the work done by the clerks, which work, during his training, he was doing with the help of Sr. Officers. Whether for doing such work he was sitting at the counter or not is absolutely irrelevant. We are concerned mainly with the nature of the duties of the workman which, as we saw above are, of supervisory nature.

12. The Ld. Representative for the workman has relied upon a ruling of the Calcutta High Court in the case of Dunlop India V/s. Industrial Tribunal, West Bengal and others, reported in 1981 Lab. I. C. 332, wherein at page 337 para 20, decision of the Supreme Court in the case of Burmah Shell Oil Storage and Distributing Company of India V/s. Its Management Staff Association (AIR 1971 S. C. 922) is quoted to show that in order to be a supervisor, there must be power of assigning duty and distribution of work and that any one who performs the mere task of checking up could not be said to be performing supervisory duty.

13. In the instant case, it is not known whether the workman had, during his training period, the power of assigning duty and distribution of work, but even assuming for the sake of arguments, that, during his training period he had no such powers, even then he being an Officer and not a

"Clerk", such powers are deemed to be inherent to his post of Officer and he would undoubtedly exercise them after he is absorbed as a Grade III Officer, at the end of his training period.

14. In view of the above, I pass the following order:

ORDER

The Workman/Party I being an Officer Grade III (Trainee) and drawing a monthly stipend of Rs. 750/-, in which post he is supposed to be absorbed after his training is over to the satisfaction of his superiors, is not a "Workman" within the meaning of Section 2(s) of the Act and, hence, does not come under the provisions of the said Act. The present reference, therefore, is bad in law and not maintainable and this Tribunal has no jurisdiction to entertain it. The reference, therefore, is dismissed, leaving each party to bear its own costs.

(Dr. Renato de Noronha)

Presiding Officer

Industrial Tribunal

Law Department

Establishment Branch

Order

No. 3-21-82/LD

In exercise of the powers conferred by sub section (6) of section 24 of the Code Criminal Procedure 1973 (Central Act 2 of 1974) the Administrator of Goa, Daman and Diu, hereby appoints Shri Gurudas U. Bhobe, Advocate, Panaji as Special Public Prosecutor, for the purpose of preferring and conducting an appeal against the Judgement passed by the Judicial Magistrate First Class, Quepem, in Criminal Case No. 121/81 before the District and Sessions Court at Margao.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. G. Kambli, Under Secretary (Law).

Panaji, 1st. June, 1985.